

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (San Antonio)
CIVIL DOCKET FOR CASE #: 5:17-cv-00737-DAE**

Bradley v. Koskinen
Assigned to: Judge David A. Ezra
Cause: 05:552 Freedom of Information Act

Date Filed: 08/07/2017
Date Terminated: 08/05/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**William E. Bradley**

represented by **Wesley D. Ehrhardt**
Patterson Ehrhardt, PLLC
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

John Andrew Koskinen
*Commissioner of the U.S. Internal
Revenue Service*
TERMINATED: 04/23/2018

represented by **Kieran O. Carter**
U.S. Department of Justice, Tax Division
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Defendant**Internal Revenue Service**

represented by **Kieran O. Carter**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Bryce Miller
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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08/07/2017	<u>1</u>	COMPLAINT for Injunctive Relief, filed by William E. Bradley. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(wg) (Entered: 08/08/2017)
08/07/2017	<u>2</u>	Filing fee received in the amount of \$400, receipt number 500040749 (wg) (Entered: 08/08/2017)
08/07/2017	<u>3</u>	MOTION to Appear Pro Hac Vice filed by Wesley D. Ehrhardt, Esq. (Filing fee \$ 100 receipt number 500040750) on behalf of William E. Bradley. (wg) (Entered: 08/08/2017)
08/07/2017		THIS CASE HAS BEEN RANDOMLY ASSIGNED TO JUDGE DAVID A. EZRA. (rf) (Entered: 02/19/2018)
08/08/2017	<u>4</u>	Summons Issued as to John Andrew Koskinen, Commissioner IRS. (wg) (Entered: 08/08/2017)
08/08/2017		Text Order GRANTING <u>3</u> Motion to Appear Pro Hac Vice. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. entered by Judge David A. Ezra. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lc) (Entered: 08/08/2017)
11/21/2017	<u>5</u>	ORDER FOR SERVICE, The Court ORDERS Plaintiff to serve Defendant within fourteen (14) days of the date of this Order. If Plaintiff fails to comply or otherwise demonstrate the requisite cause necessary to extend the time for service pursuant to Rule 4(m), the Court will dismiss this action without prejudice against Defendant after fourteen (14) days.re <u>4</u> Summons Issued as to USA. Signed by Judge David A. Ezra. (wg) (Entered: 11/21/2017)
12/01/2017	<u>6</u>	WAIVER OF SERVICE Returned Executed by William E. Bradley as to John Andrew Koskinen. Waiver sent on 11/27/2017, answer due 1/26/2018. (rg) (Entered: 12/04/2017)
01/26/2018	<u>7</u>	ANSWER to Complaint . Attorney Matthew Bryce Miller added to party John Andrew Koskinen(pty:dft), Attorney Matthew Bryce Miller added to party Internal Revenue Service(pty:dft) by John Andrew Koskinen, Internal Revenue Service.(Miller, Matthew) (Entered: 01/26/2018)
02/19/2018		If ordered by the court, all referrals will be assigned to Magistrate Judge Farrer (rf) (Entered: 02/19/2018)
02/20/2018	<u>8</u>	ORDER FOR SCHEDULING RECOMMENDATIONS AND ADVISORY CONCERNING MAGISTRATE JUDGE ASSIGNMENT the parties shall submit a proposed scheduling order to the Court within thirty (30) days from the date of this order. The parties are to notify the court on whether or not they will consent to US Magistrate Judge jurisdiction. Signed by Judge David A. Ezra. (rg) (Entered: 02/20/2018)
03/22/2018	<u>9</u>	NOTICE of Attorney Appearance by Matthew Bryce Miller on behalf of Internal Revenue Service, John Andrew Koskinen (Miller, Matthew) (Entered: 03/22/2018)
03/22/2018	<u>10</u>	Joint MOTION for Extension of Time to File <i>Proposed Scheduling Order</i> by Internal Revenue Service, John Andrew Koskinen. (Attachments: # <u>1</u> Proposed Order)(Miller, Matthew) (Entered: 03/22/2018)
03/23/2018		Text Order GRANTING <u>10</u> Motion for Extension of Time to File entered by Judge David A. Ezra. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ps) (Entered: 03/23/2018)
03/26/2018	<u>11</u>	NOTICE of Attorney Appearance by Kieran O. Carter on behalf of Internal Revenue Service, John Andrew Koskinen (Carter, Kieran) (Entered: 03/26/2018)
03/29/2018	<u>12</u>	Unopposed MOTION for Extension of Time to File by William E. Bradley. (Attachments: # <u>1</u> Proposed Order)(Ehrhardt, Wesley) (Entered: 03/29/2018)
03/29/2018	<u>13</u>	CORRECTED MOTION for Extension of Time to File by William E. Bradley. (Attachments: # <u>1</u> Proposed Order)(Ehrhardt, Wesley) (Entered: 03/29/2018)

03/29/2018	<u>14</u>	Scheduling Recommendations of <i>Defendants</i> by Internal Revenue Service, John Andrew Koskinen. (Carter, Kieran) (Entered: 03/29/2018)
03/29/2018		Text Order MOOTING <u>12</u> Motion for Extension of Time to File in light of corrected motion. Entered by Judge David A. Ezra. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lc) (Entered: 03/29/2018)
03/29/2018		Text Order GRANTING <u>13</u> Motion for Extension of Time to File entered by Judge David A. Ezra. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lc) (Entered: 03/29/2018)
04/05/2018	<u>15</u>	Plaintiff's Proposed Scheduling Recommendations by William E. Bradley. (Ehrhardt, Wesley) (Entered: 04/05/2018)
04/11/2018	<u>16</u>	ORDER referring matter to Magistrate Judge. Signed by Judge David A. Ezra. (aej) (Entered: 04/12/2018)
04/19/2018	<u>17</u>	ORDER, (Scheduling Conference set for 4/25/2018 10:30 AM before Judge Richard B. Farrer,). Signed by Judge Richard B. Farrer. (wg) (Entered: 04/19/2018)
04/23/2018	<u>18</u>	STIPULATION of Dismissal of <i>Defendant John Koskinen</i> by Internal Revenue Service, John Andrew Koskinen. (Carter, Kieran) (Entered: 04/23/2018)
04/25/2018	<u>19</u>	 PDF with attached Audio File. Court Date & Time [4/25/2018 10:58:38 AM]. File Size [10711 KB]. Run Time [00:25:30]. (admin). (Entered: 04/25/2018)
04/26/2018	<u>20</u>	SCHEDULING ORDER: ADR Report Deadline due by 6/20/2018, Amended Pleadings due by 5/25/2018, Discovery due by 10/1/2018, Motions due by 10/31/2018,. Signed by Judge Richard B. Farrer. (mgr) (Entered: 04/26/2018)
05/18/2018	<u>21</u>	MOTION to Dismiss for Lack of Jurisdiction , MOTION for Summary Judgment by Internal Revenue Service. (Carter, Kieran) (Entered: 05/18/2018)
05/18/2018	<u>22</u>	Memorandum in Support, filed by Internal Revenue Service, re <u>21</u> MOTION to Dismiss for Lack of Jurisdiction MOTION for Summary Judgment filed by Defendant Internal Revenue Service (Attachments: # <u>1</u> Declaration of Pamela Sharisse Tompkins)(Carter, Kieran) (Entered: 05/18/2018)
05/29/2018	<u>23</u>	Unopposed MOTION for Extension of Time to File Response/Reply to <i>Motion to Dismiss</i> by William E. Bradley. (Attachments: # <u>1</u> Proposed Order)(Ehrhardt, Wesley) (Entered: 05/29/2018)
05/30/2018		Text Order GRANTING <u>23</u> Motion for Extension of Time to File Response/Reply. Response due on or before 6/8/18. Entered by Judge David A. Ezra. (This is a text-only entry generated by the court. There is no document associated with this entry.) (lc) (Entered: 05/30/2018)
06/08/2018	<u>24</u>	Response in Opposition to Motion, filed by William E. Bradley, re <u>21</u> MOTION to Dismiss for Lack of Jurisdiction MOTION for Summary Judgment filed by Defendant Internal Revenue Service (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Ehrhardt, Wesley) (Entered: 06/08/2018)
06/15/2018	<u>25</u>	RESPONSE in Support, filed by Internal Revenue Service, re <u>21</u> MOTION to Dismiss for Lack of Jurisdiction MOTION for Summary Judgment filed by Defendant Internal Revenue Service (Carter, Kieran) (Entered: 06/15/2018)
06/20/2018	<u>26</u>	ADR Report Filed – by Internal Revenue Service(Carter, Kieran) (Entered: 06/20/2018)
08/02/2018	<u>27</u>	ORDER GRANTING MOTION FOR PARTIAL DISMISSAL re <u>21</u> MOTION to Dismiss for Lack of Jurisdiction MOTION for Summary Judgment filed by Internal Revenue Service,Plaintiffs claims pertaining to the portions of the Records Request seeking third-party return information, as discussed above, are DISMISSED WITHOUT PREJUDICE for failure to exhaust administrative remedies. Signed by Judge David A. Ezra. (wg) (Entered: 08/02/2018)
10/29/2018	<u>28</u>	MOTION to Extend Scheduling Order Deadlines for <i>Dispositive Motion</i> by Internal Revenue Service. (Attachments: # <u>1</u> Proposed Order)(Carter, Kieran) (Entered: 10/29/2018)

10/30/2018	<u>29</u>	ORDER GRANTING re <u>28</u> MOTION to Extend Scheduling Order Deadlines <i>for Dispositive Motion</i> filed by Internal Revenue Service, (Dispositive Motions due by 4/26/2019,). Signed by Judge David A. Ezra. (wg) (Entered: 10/30/2018)
04/26/2019	<u>30</u>	MOTION for Summary Judgment by Internal Revenue Service. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Elizabeth Hill, # <u>4</u> Declaration of Shawn Chandler)(Carter, Kieran) (Entered: 04/26/2019)
08/05/2019	<u>31</u>	ORDER GRANTING re <u>30</u> MOTION for Summary Judgment filed by Internal Revenue Service,The Court Hereby DISMISSES WITH PREJUDICEPlaintiffs claims. The Clerks Office is INSTRUCTED to ENTER A JUDGMENT and CLOSE THE CASE. Signed by Judge David A. Ezra. (wg) (Entered: 08/05/2019)
08/05/2019	<u>32</u>	CLERK'S JUDGMENT (wg) (Entered: 08/05/2019)